



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

D-1489

Applicant : Norimasa Nagasawa et al.
Title : HOLE PLUG
Serial No. : 10/662,344
Filed : September 16, 2003
Group Art Unit : 3677
Examiner : Flemming Saether

Hon. Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

December 22, 2005

REPLY BRIEF

Sir:

The Examiner's answer was mailed on December 7, 2005.

Since the Examiner's interpretation to the claims in the Examiner's answer is not appropriate, the reply brief has been filed.

On page 7, lines 6-8 of the Examiner's answer, it was held that "Appellant argues the Boik cannot anticipate the claims because Boik fails to show the column (64 in Boik) 'is connected to' each of the plate member (56 in Boik) through each of the supporting means (75 in Boik)". And on page 7, lines 17-19 of the Examiner's answer, it was held that "As, addressed previously, 'connected' is a broad term which does not require the direct connection therefore, and as correctly inferred by appellant, the connection considered as being through the end panel 55."

However, in claims 1 and 4, it is defined that "each supporting means being disposed between the column and each of the plate members so that the column is connected to each of the plate members through each of the supporting means and the supporting means supports and suppresses the plate member from bending

inwardly." (emphasis added)

In this respect, the end panel 55 in Boik is considered as the head portion (page 2, lines 3-4 of the final Action mailed on February 1, 2005), and in claims 1 and 4, it is clearly defined that the foot portion (plate members) extends from the back surface of the head portion and the column projects from the back surface of the head portion. Therefore, the supporting means must be a member different from the end panel 55, from which the plate members and column project, and is located between the plate member (56 in Boik) and the column (64 in Boik).

In the Examiner's opinion, the connection can be considered as being through the end panel 55. However, in claims 1 and 4, it is defined that each supporting means is disposed between the column and each of the plate members so that the column is connected to each of the plate members through each of the supporting means and the supporting means supports and suppresses the plate member from bending inwardly. The Examiner's interpretation is contradict to that in the final Action, i.e. the end panel 55 in Boik is the head portion, and is incorrect.

Therefore, in Boik, there is no support means disposed between the column (64) and plate member (56). Even if the Examiner is broadly interpreted, Boik does not have the supporting means of the invention.

Especially, in claims 1 and 4, it is defined that each supporting means is disposed between the column and each of the plate members so that the column is connected to each of the plate members through each of the supporting means and the supporting means supports and suppresses the plate member from bending inwardly. This limitation precludes the Examiner's wrong interpretation.

The similar interpretation was made in the Examiner's answer to Kraus. Similarly, Kraus does not have the supporting means such that each supporting means is disposed between the column and each of the plate members so that the column is connected to each of the plate members through each of the supporting means and the supporting means supports and suppresses the plate member from

bending inwardly.

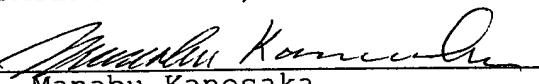
The claim interpretation by the Examiner is incorrect. Claims pending in the application are patentable over the cited references.

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Respectfully submitted,

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